

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-188(3) (KMM/TNL)

Plaintiff,

v.

ORDER

Thomas Virgil Trumble,

Defendant.

This matter comes before the Court on Defendant Thomas Virgil Trumble’s Motion for Continuance of Motion Hearing, ECF No. 72.¹ Defendant requests that the motions hearing set for January 11, 2023, ECF No. 71, be continued for 30 days as the parties “remain in the midst of discussions regarding the possibility of trial and the possibility of resolution short of trial.” ECF No. 72 at 1. The Government has no objection to the requested continuance.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide Defendant and his counsel reasonable time necessary for effective preparation and to make efficient use of the parties’ resources.

¹ Defense counsel has represented as an officer of the court that a statement of facts signed by Defendant in support of the motion will be forthcoming.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Hearing, ECF No. 72, is **GRANTED**.

2. The period of time from **January 6 through February 15, 2023**, shall be excluded from Speedy Trial Act computations in this case.

3. All responses to motions must be filed by **February 8, 2023**. *See* D. Minn. LR 12.1(c)(2).

4. Any Notice of Intent to Call Witnesses must be filed by **February 8, 2023**. *See* D. Minn. LR. 12.1(c)(3)(A).

5. Any Responsive Notice of Intent to Call Witnesses must be filed by **February 13, 2023**. *See* D. Minn. LR 12.1(c)(3)(B).

6. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

7. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **February 15, 2023, at 2:00 p.m.**, in Courtroom 9W, Diana E. Murphy United

States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

8. **The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Katherine M. Menendez to confirm the new trial date.**

Dated: January 9, 2023

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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